

### **REMARKS**

Entry of this Amendment and reconsideration of the present application, as amended, are respectfully requested.

In response to the restriction requirement in the Office Action dated July 6, 2004, which set a one-month term for response expiring on August 6, 2004, applicants hereby elect to prosecute in this application, Group VII, claims 21 (and 22). This invention is directed to a method for measuring tank liquid volume using known tank volume and three parameters including at least a pitch or roll angle, classified in class 702, subclass 50. The claims directed to inventions II, III, IV, V and VI, i.e., claims 2-20, are cancelled without prejudice to filing a divisional application directed to the subject matter of these claims. The Examiner's election of species requirements are therefore believed to be rendered moot.

However, it is respectfully submitted that claim 1 as amended (Group I) is directed to the elected invention. As amended, claim 1 includes the step of arranging an inertial measurement unit (IMU) on the vehicle to determine the pitch and roll angles of the vehicle. Since claim 1 now specifies that the pitch and roll angles are determined by an IMU, it is now directed to a method for measuring tank liquid volume using known tank volume and the pitch and roll angles, the same invention as claim 21. Consideration of claim 1 in addition to claims 21 and 22 is therefore requested.

New claims 23-37 are added, of which claims 23-31 depend directly or indirectly upon claim 21 and therefore are directed to the elected invention.

Claims 32-34 are directed to an apparatus for measuring tank liquid volume using known tank volume and three parameters including at least a pitch or roll angle. In view of similarities between independent claim 32 and independent claim 21, it is respectfully submitted that claim 32 is directed to the same invention as claim 21 and thus claim 32 and claims 33 and 34 which depend therefrom should be considered in this application together with claims 21-31.

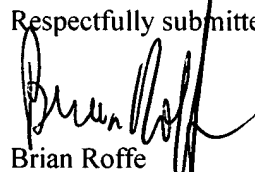
Claim 35 depends on claim 1 and if claim 1 is considered in this application, then claim 35 should also be considered.

Claims 36 and 37 are directed to a method for measuring tank liquid volume using known tank volume and data from sensor systems including pitch and roll angle data from an IMU. In view of similarities between independent claim 36 and independent claim 21, it is respectfully submitted that claim 36 is directed to the same invention as claim 21 and thus claim 36 and claim 37 which depends therefrom should be considered in this application together with claims 21-31.

In view of the cancellation of claims 2-20, no fee is due for the presentation of claims 23-37.

An early and favorable action on the merits is earnestly solicited.

FOR THE APPLICANTS  
Respectfully submitted,



Brian Roffe  
Reg. No. 35,336

Brian Roffe, Esq.  
11 Sunrise Plaza, Suite 303  
Valley Stream, New York 11580-6111  
Tel.: (516) 256-5636  
Fax: (516) 256-5638